

**STATE WATER RESOURCES CONTROL BOARD**

**LIST OF PUBLIC ENTITIES GRANTED AN EXCEPTION  
PURSUANT TO STATE WATER RESOURCES CONTROL BOARD POLICY  
FOR IMPLEMENTATION OF TOXICS STANDARDS FOR INLAND SURFACE  
WATERS, ENCLOSED BAYS, AND ESTUARIES OF CALIFORNIA (POLICY)**

**WATER QUALITY ORDER NO. 2004-0009-DWQ  
STATEWIDE GENERAL NATIONAL POLLUTANT DISCHARGE  
ELIMINATION SYSTEM PERMIT FOR THE DISCHARGE  
OF AQUATIC PESTICIDES FOR AQUATIC WEED CONTROL  
IN WATERS OF THE UNITED STATES  
GENERAL PERMIT NO. CAG990005**

The public entities listed herein have prepared Initial Studies, Negative Declarations (ND), and Notices of Determination or Mitigated Negative Declarations (MND) for the discharge of aquatic pesticides in accordance with the California Environmental Quality Act [CEQA (Public Resources Code Section 21000 et seq.)] to comply with the exception requirements of section 5.3 of the Policy. The boards of each public entity, as the lead agencies under CEQA, approved the Final ND/MND and determined that the discharge of aquatic pesticides in their respective projects would not have a significant effect on the environment. These public entities have determined that the water quality or related water quality impacts identified in the environmental assessments of the ND/MND are less than significant. In addition to submitting the CEQA documentation, these public entities have also complied with the other exception requirements of section 5.3 of the Policy.

As required in Section 15096 of the CEQA Guidelines, the State Water Resources Control Board (State Water Board), as a Responsible Agency under CEQA, considered the ND/MND approved by the board of each public entity and finds that the projects will have less than significant water quality impact if the waste discharge requirements in this General Permit are followed. Accordingly, the public entities listed herein are hereby granted an exception pursuant to section 5.3 of the Policy.

The California Department of Food and Agriculture (CDFA) has determined that its ongoing projects to eradicate hydrilla are exempt from the requirements of CEQA because the activities are necessary to prevent or mitigate an emergency pursuant to Public Resources Code Section 21080 (b)(4). The bases for this determination are that the CDFA Hydrilla Program is mandated under sections 403 and 6048 of the Food and Agriculture Code and the Governor of California and/or the CDFA Secretary has declared that an emergency situation existed as each eradication project began. Although CDFA has determined the CDFA Hydrilla Program is exempt from CEQA, CDFA will coordinate all eradication activities with federal, state and local regulatory agencies to ensure no long-term significant environmental impacts occur.

As required in Section 15096 of the CEQA Guidelines, the State Water Board, as a Responsible Agency under CEQA, considered the exemption claimed by CDFA and

## Attachment E

finds that the projects will have less than significant water quality impact if the waste discharge requirements in this General Permit are followed. Accordingly, CDFA is hereby granted an exception pursuant to section 5.3 of the Policy, as long as the Governor or the CDFA Secretary has declared that an emergency situation exists prior to project implementation.

### **Public Entities with Policy Section 5.3 Exception**

1. Byron-Bethany Irrigation District
2. City of Antioch Department of Public Works
3. Contra Costa Water District
4. Contra Costa County Flood Control and Water Conservation District
5. Department of Food and Agriculture
6. Department of Water Resources
7. Friant Water Users Authority
8. Maine Prairie Water District
9. Marin Municipal Water District
10. Metropolitan Water District of Southern California
11. Modesto Irrigation District
12. Nevada Irrigation District
13. North Marin Water District
14. Oakdale Irrigation District
15. Placer County Water Agency
16. Princeton-Cordora-Glenn Irrigation District
17. Provident Irrigation District
18. Reclamation District 1004
19. Solano Irrigation District
20. South Feather Water and Power Agency
21. South Sutter Water District
22. Tehema Colusa Canal Authority
23. Woodbridge Irrigation District
24. Yolo County Flood Control and Water Conservation District